...TION FILED
DEC 29 1995

(23) (15)

Nos. 94-1941 and 94-2107

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1995

UNITED STATES OF AMERICA, *Petitioner,*

v.

COMMONWEALTH OF VIRGINIA, *et al.*, *Respondents.*

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

MOTION FOR LEAVE TO FILE BRIEF LATE DUE TO ERROR IN FILING PROCEDURE

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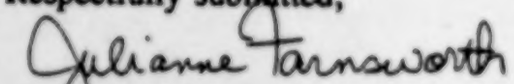
BEST AVAILABLE COPY

3 pp

Movant, The South Carolina Institute of Leadership for Women, appearing as amicus curiae, hereby respectfully moves this Honorable Court for leave to file its amicus curiae brief on behalf of the Respondents late. As grounds for this motion, movant states the following: movant was granted permission, by consent, to file an amicus curiae brief in the above captioned case. After the brief was prepared, it was sent to Brief Printing Specialists, Inc., 1001 E. Main Street, Suite 210, Richmond, Virginia 23219, with specific instructions that the brief had to be filed with this Honorable Court no later than Friday, December 15, 1995. The Certificate of Service from the printer indicated that the brief was filed with this Court on December 15, 1995. However, the Clerk of this Court brought to our attention on today's date, December 28, 1995, that the brief was filed by certified mail on December 15, 1995, but was not received by this Court

until December 19, 1995. As a result, the brief was considered late. The printers have acknowledged the filing error and have indicated that they believed in good faith that filing by certified mail on December 15, 1995, was acceptable filing to meet the specified deadline. Due to the fact that the error was made in good faith by a third party, the printing company, and the brief was received only two days late, via certified mail, by this Court, Movant respectfully requests that the brief be accepted as if filing had occurred timely and be considered by the Court in support of Respondents in this case.

Respectfully submitted,



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December 28, 1995

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